

11113-220752 (BDB)

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

BETTY CULBREATH,

Plaintiffs,

V.

NO. 3:22cv058-NBB-JMV

HOBBY LOBBY STORES, INC.

JURY DEMAND

Defendant.

NOTICE OF REMOVAL

Defendant Hobby Lobby Stores, Inc., ("Defendant"), hereby notify the Judges of the United States District Court for the Northern District of Mississippi, the Clerk of the County Court of Desoto County, Mississippi and Plaintiff, Betty Culbreath, that the action described herein and filed in the County Court of Desoto County, Mississippi, is removed to the United States District Court for the Northern District of Mississippi, pursuant to 28 U.S.C. § 1441.

1. On March 11, 2022, Plaintiff filed a civil action bearing Docket No. 2022-0388CD against the Defendant in the County Court of Desoto County, Mississippi. Service of the complaint and summons was made upon Hobby Lobby Stores, Inc. by and through its registered agent on March 15, 2022.

2. This action is filed by Plaintiff arising out of an accident occurring on or about November 11, 2019.

3. Petitioner seeks removal of this action to this Court upon the grounds that the controversy is wholly between citizens of different states and involves an amount in controversy which exceeds Seventy-five Thousand Dollars (\$75,000.00), exclusive of the interest and costs, 28 U.S.C. § 1332. While Plaintiff's Complaint does not seek a specific amount in monetary damages, Plaintiff's counsel has advised that she has incurred past medical expenses in excess

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of \$50,000 and seeks damages for future medical expenses, other economic loss, past and future noneconomic damages such as physical pain, disfigurement, and physical impairment. Accordingly, based upon this information and the statements of Plaintiff's counsel, Plaintiff's claims are in excess of \$75,000 in sum or value.

4. Plaintiff is a citizen of the State of Mississippi and was a citizen of the State of Mississippi at the time of the filing of this action and at the time of removal. Defendant is an Oklahoma Corporation with its principal place of business in Oklahoma. The amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs.

5. This Notice is filed within the time prescribed by 28 U.S.C. §1446(b).

6. A copy of the Summons, Complaint, and First Consolidated Set of Interrogatories, Requests for Production of Documents, and Request for Admission, being all the papers served upon the Defendant, is attached hereto as **Exhibit A**.

7. A Civil Cover Sheet is attached hereto as **Exhibit B**.

8. A Notice of Filing Notice of Removal is being filed with the County Court of DeSoto County, Mississippi. A copy of same is attached hereto as **Exhibit C**.

WHEREFORE, Notice is hereby given that the said civil action number 2022-0388CD is removed from the County Court of DeSoto County, Tennessee, to this Court.

Respectfully submitted,

RAINEY, KIZER, REVIERE & BELL, P.L.C.

s/ Bradford D. Box

BRADFORD D. BOX (BPR#104032)

Attorney for Defendants

P.O. Box 1147

209 E. Main Street

Jackson, TN 38302-1147

(731) 423-2414

bbox@raineykizer.com

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of this pleading or document was served upon the following by mailing postage prepaid or by delivery to the person or office of such counsel and by electronic means via the Court's electronic filing system.

J. Wesley Hisaw
Holland & Hisaw
3010 Goodman Road West, Suite A
Horn Lake, MS 38637

John P. Wade
McNabb, Bragorgos, Burgess & Sorin, PLLC
81 Monroe Avenue, Sixth Floor
Memphis, TN 38103

Dale Thompson
DeSoto County County Court Clerk
2535 Highway 51 S., 2nd Floor
Hernando, MS 38632

This the 14th day of April, 2022.

s/ Bradford D. Box